

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

CHARLES L. DAVIS,
Appellant,

06-CV-0804E(Sr)
01-BK-11678K

-vs-

LEROI C. JOHNSON,
Appellee.

ORDER

WHEREAS on December 7, 2006, Appellant Charles Davis filed a Notice of Appeal from Bankruptcy Court case number 01-11678-MJK, and

WHEREAS this Court set February 28, 2007 as the deadline date for the filing of Appellant's Brief and also set deadline dates for the filing of Appellee's Brief and Appellant's Reply Brief, if any, and

WHEREAS the appeal has not been perfected inasmuch as no appellate brief has been filed and no request for extension of time to file such has been made. In fact, other than filing the Notice of Appeal, with the required record attachments, appellant has filed nothing in this matter. It is therefore

ORDERED that the appeal herein is dismissed. The Clerk of the Court is directed to take all appropriate steps to inform the Bankruptcy Court of the dismissal and close this matter.

DATED: Buffalo, N.Y.

September 13, 2007

/s/ John T. Elfvin

JOHN T. ELFVIN
S.U.S.D.J.

